

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ADIL SHAFI,

Counterclaim Plaintiff/
Third Party Plaintiff,

vs

Case No: 09-10454
Honorable Victoria A. Roberts

BRAINTech, INC. AND
FREDERICK WEIDINGER,

Counterclaim Defendant/
Third Party Defendant

_____ /

ORDER

The Court held a Final Settlement Conference on Wednesday, March, 23, 2001. Attending were J.P. Murphy representing Adil Shafi, Tom McNeill representing Rick Weidinger and Susan Koval representing Braintech.

The Court discussed several pending motions. One is Counter-Defendant's Motion to Compel Certain Source Code Required by the Court's December 17, 2010 Order (Doc. # 91). The Court refers this to Magistrate Judge Michelson.

Another pending motion is Shafi's Motion for Temporary Stay of Proceedings (Doc. #92). The successor corporation to Braintech, Robotics Vision Tech, filed suit against Shafi in the Eastern District of Virginia. Although not in total agreement concerning the scope of that lawsuit, the parties do agree that it is related to the litigation pending here, and that if the Virginia court does not dismiss that suit but transfers it here, it should be joined for trial with this case. Counsel for Weidinger

indicated that if the case did get transferred, he would want discovery, further stalling trial of this case.

Accordingly, it was agreed:

1. Counsel for Shafi will accept service in the Virginia case for his client;
2. He will, as soon as possible, file a Motion To Dismiss Or To Transfer Venue of that case to this Court;
3. If venue is transferred, the two cases will be combined for all purposes.

Accordingly, Shafi's Motion for Temporary Stay of Proceedings is **MOOT**.

4. Defendant Wiedinger's Motion for Leave to File Supplemental Brief is **DENIED**.

In the event the Virginia court dismisses that case or declines to transfer venue, the Court will enter a new Scheduling Order.

IT IS ORDERED.

/s/ Victoria A. Roberts
Victoria A. Roberts
United States District Judge

Dated: March 30, 2011

The undersigned certifies that a copy of this document was served on the attorneys of record by electronic means or U.S. Mail on March 30, 2011.

s/Linda Vertriest
Deputy Clerk